

Application No. 10/777,034  
Amendment dated March 29, 2006  
Reply to Office Action of January 10, 2006

Docket No.: 21994-00066-US

### REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

The Office Action and prior art relied upon have been carefully considered. In an effort to expedite the prosecution claim 1 has been amended to clarify the claimed range of values and claim 2 has been cancelled.

Claims 1 and 2 were rejected under 35 USC 102(b) as anticipated by Nishida et al. (USPN 5,479,382)

According to the present invention, an optical information recording medium has been defined so that a phase-change type optical recording layer 4 contains at least Ti, In, Ge, Sb and Te and the content in atomic percent of the Ti, In, Ge, Sb and Te is defined as "v", "w", "x", "y" and "z", each of the contents "v", "w", "x", "y" and "z" satisfies the relations:

$$0.3 \leq v \leq 4, 0.3 \leq w \leq 3, 3.4 \leq x \leq 14.5, 2.1 \leq y/z \leq 4 \text{ and } 98.8 \leq v + w + x + y + z \leq 100 \text{ atomic percent (see page 42, line 24 to page 43, line 9).}$$

Nishida et al. (USPN 5,479,382) discloses that the reflective film of the information recording medium has the average composition which can be expressed by the general formula  $(\text{Au})_{100-x}(\text{A})_x$ , where  $x$  is  $0.5 \leq x \leq 15$  in terms of atomic percentage, and the element represented by "A" is assumed to be at least one element of Al, ..., Ti, ..., Ge, ..., In, ..., Sb, Te, ...and Bi; and that " $1 < x < 8$ " is preferable and " $2 < x < 5$ " is more preferable (see Col 6, lines 1-48). However, Nishida et al. fails to disclose each content in atomic percent of the Ti, In, Ge, Sb and Te. Further, the amount "x" of the element "A" which can contain at least one element of Ti, In, Ge, Sb and Te is at most 15 % in terms

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of atomic percent with respect to the total amount of the elements constituting the reflective film.

In the present invention, the total amount ( $v + w + x + y + z$ ) in atomic percent of the Ti, In, Ge, Sb constituting the phase-change type optical recording layer 4 is more than or equal to 98.8 % and less than or equal to 100 %.

For the reasons set forth above it is clear that the cited reference fails to anticipate all the limitations of the claimed invention.

In view of the above, consideration and allowance are, therefore, respectfully solicited.

In the event the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

The Director is hereby authorized to charge any fees, or credit any overpayment, associated with this communication, including any extension fees, to CBLH Deposit Account No. 22-0185, under Order No. 21994-00066-US from which the undersigned is authorized to draw.

Dated: March 29, 2006

Respectfully submitted,

By 

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